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PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

		Application Number	10/065,256
		Filing Date	September 30, 2002
		First Named Inventor	Andrew Kaplan
		Art Unit	3731
		Examiner Name	Julian W. Woo
Total Number of Pages in This Submission	3	Attorney Docket Number	013341-000014

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Fifth Supplemental Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): One copy of 11 cited references Check in the amount of \$180.00; and Acknowledgement Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MOORE & VAN ALLEN		
Signature			
Printed Name	KAREN L. WADE		
Date	May 11, 2005	Reg. No.	52,332

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kaplan, et al.

Group Art Unit: 3731

Serial Number: 10/065,256

Examiner: Julian W. Woo

Filed: September 30, 2002

Customer No. 24,239

For: SUTURE METHOD

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Katrina Holland

**FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56 AND 37 C.F.R. § 1.97**

It is respectfully requested that the documents listed on the attached Form PTO/SB/08A be considered by the Patent and Trademark Office in the above-referenced application and made of record therein. Full text copies of the cited references are enclosed.

The requisite fee pursuant to CFR §1.17(p) is enclosed herewith. The Commissioner is authorized to charge any deficiencies, or to credit any overpayment, to **Deposit Account No. 13-4365**.

Respectfully submitted,

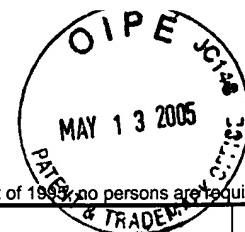
By: Karen WadeMay 11, 2005

Date

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05/16/2005 RMEBRAHT 00000017 10065256
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Substitute for form 1449A/PTO FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Complete if Known	
				Application Number	10/065,256
				Filing Date	September 30, 2002
				First Named Inventor	Andrew Kaplan
				Art Unit	3731
				Examiner Name	Julian W. Woo
Sheet	1	of	1	Attorney Docket Number	013341-000014

U.S. PATENT DOCUMENTS					
Examiner Initials'	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
Number-Kind Code² (if known)					
		US- 6,443,962	09/03/2002	Gaber	
		US- 5,887,594	03/30/1999	LoCicero, III	
		US- 3,918,455	11/11/1975	Coplan	
		US- 3,003,155	10/10/1961	Mielzynski et al.	
		US- 2,866,256	12/30/1958	Matlin	
		US- 2,572,936	10/30/1951	Kulp et al.	
		US- 2,355,907	08/15/1944	Cox	
	US-				

FOREIGN PATENT DOCUMENTS					
Examiner Initials'	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		EP 0 576 337 B1	03/05/1997	Societe B.F.L. Medical SA	T ⁶
		EP 0 428 253 B1	07/27/1994	United States Surgical Corporation	
		GB 1 506 362	04/05/1978	Akiyama	
		WO 99/21488	05/06/1999	OH	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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